

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

In re	)	
	)	
Andrew P Stockli and Amy K Stockli,	)	
	)	No. 12-50038
Debtors.	)	Chapter 13
_____	)	
	)	
Andrew P Stockli and Amy K Stockli	)	
	)	
v.	)	
	)	Adv. Pro. No. 12-05031
Apple Federal Credit Union	)	
Larry Kelly, Trustee	)	
and	)	
Jonathan Guepe, Trustee	)	
_____	)	

**CONSENT JUDGMENT AVOIDING LIEN ON DEBTOR'S RESIDENCE**

Upon consideration of the Complaint in this matter and the consent of the parties as evidenced by the endorsements of counsel below, it is, pursuant to 11 U.S.C. § 506 and for the reasons set forth in *Suntrust Bank v. Millard*, No. No. 09-2266 (mem.) (4th Cir. Dec. 15, 2010); *Dean v. LaPlaya Inv., Inc. (In re Dean)*, 319 B.R. 474 (Bankr. E.D. Va. 2004); *Pond v. Farm Specialist Realty (In re Pond)*, 252 F.3d 122, 126, 127 (2nd Cir. 2001); *In re McDonald*, 205 F.3d 606 (3rd Cir. 2000), by the United States Bankruptcy Court for the Western District of Virginia,

ORDERED, ADJUDGED AND DECREED that the claim of Defendant Apple Federal Credit Union (Claim #24) be and is hereby deemed wholly unsecured; and it is further

ORDERED, ADJUDGED AND DECREED that should said Defendant wish to file an amended proof of claim to assert an unsecured claim in the full amount of the

claim, it shall have 30 days from the date of entry of this order, or until the claims bar date, whichever is later; and it is further

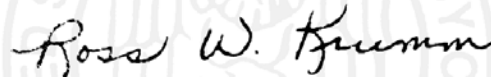
ORDERED, ADJUDGED AND DECREED, that at such time as the Plan is completed in this case, the lien held in favor of Defendants Apple Federal Credit Union, and Larry Kelly and Jonathan Guepe, Trustees, on debtors' real property described as: 104 Nescliffe Ct., Winchester, VA 22602, having a legal description of:

All of that certain lot or parcel of land, lying and being situate in Red Bud Magisterial District, Frederick County, Virginia, more particularly described as Lot 34, Section 2, Phase 1A, Lynnehaven, as the same appear duly dedicated, platted and recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia, as No. 040010667 to which reference is here made and incorporated herein as if set out in full. This is the same property conveyed to Andrew P. Stockli and Amy K. Stockli from American Homes of Virginia, Inc., a Virginia corporation, by deed dated February 18, 2005 and recorded in the aforesaid Clerk's Office as Instrument No. 050003538.

TAX MAP NO.: 55K-I-2-34

established by Deed of Trust recorded on April 14, 2006 to Larry Kelly and Jonathan Guepe, Trustees, recorded as Instrument No. 060007157 among the land records of Frederick County, shall be void, and this Judgment may thereupon be recorded in land records to reflect the foregoing.

Dated: June 6, 2012



Ross W. Krumm

U.S. Bankruptcy Judge

I ASK FOR THIS:

/s/Daniel M. Press  
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SEEN AND AGREED:

/s/Kimberly B. Lane  
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